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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,988	12/09/2003	Akihiro Kodama	H0309T	2746

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KANESAKA & TAKEUCHI
1423 Powhatan Street
Alexandria, VA 22314

EXAMINER

ZARROLI, MICHAEL C

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/729,988

Applicant(s)

KODAMA, AKIHIRO

AK

Examiner

Michael C. Zarroli

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/9/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the legalistic language used. Correction is required. See MPEP § 608.01(b).
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claim 8 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 8 has not been further treated on the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and, 5-8 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Murr et al.

Murr discloses an electrical connector comprising: a housing (150); and a substantially rectangular case (114) made of a metal (col. 4 lines 36-37) and enclosing said housing (figures 4 & 5 or 7), said substantially rectangular case having a front opening (fig. 1) and including: at least one connection portion (144) provided on a side of a lower surface of said substantially rectangular case for connection with a corresponding circuit trace of a circuit board (col. 5 line 42); a resilient lock piece (128, 357) provided between (fig. 1) an upper surface and said lower surface of said substantially rectangular case and engaging a mating connector (100); and a pair of shield pieces (130) provided between said upper and lower surfaces and brought into contact (col. 10 lines 31-32) with a shield case (102 & 104 & 186) of said mating connector, wherein said upper surface is made flat, said resilient lock piece has a bending portion (135, 351) at said front opening of said substantially rectangular case, which is bent from said lower surface toward an inner of said substantially rectangular case, and said shield pieces are provided on sides of said resilient lock piece (fig. 1).

Regarding claims 5-8 Murr discloses that said substantially rectangular case is made by bending a metal sheet (col. 4 lines 36-37) around an axis of said substantially rectangular case or a plugging direction of said mating connector (figures 4-6) and has a joint of edges of said metal sheet in a side surface thereof (fig. 8 unnumbered). This bent portion has a curvature (fig. 8 unnumbered just below 364) with said substantially rectangular case having a lower opening in at least part of said lower surface to accommodate a bottom section of said housing (figures 1 & 6).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Murr et al as applied to claim 1 above, and further in view of Yang.

Murr does not disclose that the upper surface of the rectangular case has a smaller width than the lower surface.

Yang discloses a substantially rectangular metal case (45) that has a smaller width at one surface as opposed to the other surface (fig. 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to alter the shape of the case of Murr et al as taught by Yang. The motivation/suggestion for doing so would have been to set up a keying arrangement that could prevent inserting the plug upside down. Such a modification would have involved a mere change in the size or shape of a component. A change in size or shape is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

8. Claims 3-4 rejected under 35 U.S.C. 103(a) as being unpatentable over Murr et al as applied to claim 1 above, and further in view of Yeh.

Murr discloses that said substantially rectangular case is made by bending a metal sheet (col. 4 lines 36-37) around an axis of said substantially rectangular case or a plugging direction of said mating connector (figures 4-6) and has a joint of edges on the side. Murr does not disclose that this joint is in the upper surface of said metal sheet case.

Yeh discloses a sheet metal case (1) that is bent with the joint (136) in an upper surface of the case and not at a center of the surface (fig. 2).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to relocate the sheet metal joint from the side to the top surface of the sheet metal of Murr as taught by Yeh. The motivation/suggestion for doing so would have been to alter the strength characteristics of the case's structure.

Allowable Subject Matter

9. Claim 9 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

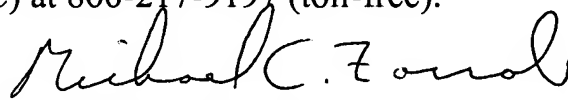
Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Futatsugi et al, Morikawa et al and, Chiou all teach sheet metal cases with a locking portion and shielding on the sides of the cases.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Feild can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael C. Zarroli
Primary Examiner
Art Unit 2839


MCZ